

Texas Juvenile Justice Board Meeting

10:00 a.m.

Thursday, December 1, 2011

Holiday Inn Town Lake

20 North IH 35

Austin, Texas 78701

Meeting Minutes

BOARD MEMBERS PRESENT:

Scott W. Fisher, Chairman
John Brieden III
Joseph D. Brown
The Honorable Carol Bush
Jane Anderson King
Rob Kyker
Michael Meade
Mary Lou Mendoza
Dr. Rene Olvera
The Honorable Laura Parker
Jimmy Smith
Calvin Stephens
Melissa Weiss

BOARD MEMBERS ABSENT:

None

TJJD EXECUTIVE AND MANAGEMENT STAFF PRESENT:

NOTE: Executive and management staff are identified with their former agency as this was the first day of the new agency and the initial TJJD board meeting. Subsequent minutes will not reflect the staff's former affiliated agency.

Cherie Townsend, Executive Director (Former TYC)
Robin McKeever, Deputy Executive Director (Former TYC)
Vicki Spriggs, Executive Director (Former TJPC)
Lisa Capers, Deputy Executive Director and Legal Counsel (Former TJPC)

Kristy Almager, Staff Services Manager (Former TJPC)
Denise Askea, Director Placement Services (Former TJPC)
Rick Bishop, Chief Information Officer (Former TYC)
Linda Brooke, Director of External Affairs and Policy Development (Former TJPC)
Jeannette Cantu, Executive Assistant (Former TYC)
Janie Duarte, Chief Financial Officer (Former TYC)

Kevin DuBose, Director Abuse, Neglect and Exploitation (Former TJPC)
Karin Hill, Director of Internal Audit (Former TYC)
Jim Hurley, Director of Public Affairs (Former TYC)
Dr. Chuck Jeffords, Director of Research (Former TYC)
Cris Love, Inspector General (Former TYC)
Toysha Martin, General Counsel (Former TYC)
Bill Monroe, Chief Financial Officer (Former TJPC)
James D. Smith, Director of Youth Services (Former TYC)
Genovia Spencer, Human Resources Manager (Former TJPC)
Debbie Unruh, Independent Ombudsman
Cindy Weisinger, Director of Training (Former TJPC)
Mary Wood, Director of Human Resources (Former TYC)

OTHER TJJD STAFF PRESENT:

Sami Chadli
Melanie Cleveland
Christina Courson
Karol Davidson
Pam Gereau
Yolanda Hall
Melissa Headrick
Ellie Hernandez
Tammy Holland
Lesley Jacobs
Tracy Levins
Kristen Perkins
Samantha Retzlaff
Lucy Rodriguez
John D. Stutz

OPENING REMARKS

Chairman Scott W. Fisher called the Board meeting of the Texas Juvenile Justice Department (TJJD) to order at 10:01 AM, December 1, 2011. Chaplain John Stutz led the opening prayer. All present recited the Pledge of Allegiance. Chairman Fisher introduced the members of the Board as seated.

PUBLIC COMMENT

Chairman Fisher called upon Benet Magnuson and Jennifer Carreon from the Texas Criminal Justice Coalition (TCJC) for public comment. Mr. Magnuson and Ms. Carreon presented the Board with information about TCJC which advocates for juvenile justice policy solutions that maximize opportunities for troubled youth and promote increased resources for community-based alternatives to incarceration, treatment for substance abuse and mental health problems, restorative justice practices, and pathways for successful re-entry. Mr. Magnuson and Ms. Carreon also provided suggestions for

characteristics that would be important for the executive director and offered the Coalition's services and support to the Board during their search.

Chairman Fisher called upon Tom Brooks, Chief Juvenile Probation Officer at the Harris County Juvenile Probation Department, for public comment. Mr. Brooks stated that he is happy to begin his partnership with TJJD and stressed to the Board the importance of consulting with the chief juvenile probation officers appointed to the Board when making decisions that will affect juvenile probation departments in the state of Texas.

Chairman Fisher called upon Margarita Jimenez and Jesus C. from the Texas Network of Youth Services (TNOYS) for public comment. Ms. Jimenez reported that TNOYS promotes youth development and youth/adult partnerships at all levels. TNOYS believes that youth-serving organizations play a critical role in promoting youth development, and that youth development happens most effectively when youth are empowered and involved at multiple levels. Those levels include self-advocacy, service provision, evaluation, agency governance, community development, and policy development. As an example of the agency's involvement with youth is Jesus C. Jesus is a young man participating in TNOYS services, and he stated that he has been successful in reaching out to other at risk youth to help mentor them and serve as an example of how youth can be guided in the right direction.

Chairman Fisher called upon Lauren Rose of Texans Care for Children for public comment. Ms. Rose reported that Texans Care for Children brings together a broad array of public, private and nonprofit partners for the sole purpose of improving Texas children's lives. She stressed to the Board the importance of approving a budget, governance manual, and quality trainings that advocate for a new, but better agency that will focus on providing community based programs for youth. She identified a concern regarding potential board member conflicts of interest and the need for recusals and clarity in rules adopted in the governance manual. She talked about the need for additional board training and resources, including the ability of her organization to make arrangements for the board to be exposed to best practices in action in Texas and in other parts of the country.

S.B. 653 TRANSITION TEAM REPORT

Chairman Fisher called upon Chelsea Buchholtz, Office of the Governor, for her report to the Board on the activities of the Transition Team required by Senate Bill 653. Ms. Buchholtz reported that staff has worked diligently in supporting the Transition Team to carry forward policy and procedures, with some modifications, that appropriately represent both the former Texas Youth Commission and Texas Juvenile Probation Commission. Ms. Buchholtz acknowledged the presence of Transition Team members Cherie Townsend, Vicki Spriggs, and Debbie Unruh. Chairman Fisher later acknowledged the arrival of another member of the Transition Team, Representative Ruth McClendon.

Ms. Buchholtz reported that staff workgroups identified and created training documents that were presented to the Board at a recent Board training and since then, additional training opportunities and resources have been identified. She reported that staff workgroups and the Transition Team have also created a draft of the Board Governance Manual that will be presented to the Board for review. She indicated the current management teams and staff have worked hard preparing and ensuring all the necessary items that needed to be up and running on day one have been completed for business continuity. Phone systems will be converted and computer network systems will merge. She reported

that a new website was designed and developed and was launched on December 1.

Ms. Buchholtz discussed the Board's responsibility for guiding a new organizational structure and selecting the Executive Director. She stressed the importance of approving an interim budget that will allow the agency to function until the final operating budget for the remainder of FY 2012 is approved. She challenged the Board to identify funds within the appropriated budget to support the creation of a prevention strategy that was identified but not funded in the General Appropriations Act (82-R).

Ms. Buchholtz commended select staff from TYC and TJPC for their hard work and dedication during the transition process. She acknowledged the efforts of all staff and informed the Board of how exceptionally driven and dedicated the employees who now comprise the Texas Juvenile Justice Department.

INTERIM APPROVAL OF TEXAS JUVENILE JUSTICE DEPARTMENT BUDGET FOR FISCAL YEAR 2012

Chairman Fisher called upon Bill Monroe, former TJPC Chief Financial Officer, and Janie Duarte, former TYC Chief Financial Officer, for their report on the Fiscal Year 2012 Interim Budget. They reported that the total budget for the remaining nine months of FY 2012 is \$243,810,251 which is a combination of \$213,999,627 in General Revenue; \$13,119,798 in Federal Funds; and \$16,690,826 in other funds such as interagency contracts, bonds, criminal justice grants and receipts. Mr. Monroe and Ms. Duarte stated that the overall budget is presented in four goals and objectives, and they also presented the TJPC and TYC portions of the interim budget.

Goal A: Community Juvenile Justice includes funding for Probation Grants for Community Juvenile Services and funding to Assist and Monitor Community Juvenile Justice. This goal totals \$104,336,874, or 42.8% of the total budget.

Goal B: State Service and Facilities includes funding for Provide Institutional Services, Conduct Oversight of Instructional Services, and Construct and Renovate Facilities. This goal totals \$128,490,257, or 52.7% of the total budget.

Goal C: Office of the Independent Ombudsman funding totals \$284,403, or 0.1% of the total budget.

Goal D: Indirect Administration funding totals \$10,698,717, or 4.4% of the total budget.

Board member James Brieden noted that the federal Department of Labor grant would expire and he requested any details at the January board meeting regarding replacement funding. Mr. Brieden also expressed his interest in identifying the agency's estimated savings from position vacancies. He also stated his desire to be involved in the development of the agency's appropriations request and to meet with the Legislative Budget Board's analyst assigned to TJJD.

Mr. Brieden and board member Calvin Stephens noted that cultural changes for organizational mergers are often associated with physical space re-allocation plans, and they requested any estimated costs that would be associated with merging the two agencies.

In response to a question from Mr. Stephens, Mr. Monroe responded that the grant detail represents

twelve months of disbursements; while the summary only includes the funding for eight months. Mr. Monroe and Ms. Duarte noted that when staff requests board approval to submit an operating budget to the Governor's Office and the Legislative Budget Board, more voluminous material is typically included; however for the purposes of approving the interim budget, they were not included in this packet. For future reference, Mr. Stephens asked that all grant information be provided in the board packets. Mr. Stephens also suggested that staff should be advised of the potential for downsizing, especially relating to redundant positions and efficiencies for merged functions; he also requested a summary of expenditures from September through November 2011, prior to the creation of the new agency.

Board member Mary Lou Mendoza inquired about how education strategy amounts are determined and about the qualifications for special education teachers. Ms. Duarte responded that appropriations are generally based on formulas related to average daily attendance. Special education teachers must be certified to teach in their subject area.

Board member Rene Olvera requested information for the budget discussion in January regarding the ways in which the budget had been reduced previously. Dr. Olvera also stated that an analysis of youth population trends over recent years might be helpful.

Board member Mike Meade said he would be looking at front-end probation services to ensure they are adequately funded. Mr. Meade also wants to establish a means to flag areas of organizational redundancy and potential cost savings associated with the merger of the two agencies.

Board member Rob Kyker made a motion, seconded by Board member Jane King, that the Board approve the TJJD budget for Fiscal Year 2012 as presented by staff. The motion passed unanimously.

DISCUSSION AND APPOINTMENTS TO THE ADVISORY COUNCIL ON JUVENILE SERVICES

Chairman Fisher called upon Vicki Spriggs former TJPC Executive Director and Cherie Townsend former TYC Executive Director for their report to the Board. Ms. Spriggs and Ms. Townsend provided the Board with a list of recommended nominees for appointment to the Advisory Council on Juvenile Services.

Pursuant to Senate Bill 653 (81-R), Section 203.0081 of the Texas Human Resources Code specifies that the new TJJD Board shall appoint to the Advisory Council on Juvenile Services one Chief Juvenile Probation Officer from each regional chief's association in the state from a list of nominees submitted to the board by each regional chief's association. Nomination forms were sent to all current regional chiefs associations to submit at least 2 names of individuals in each of the following categories who are 1) serving in the role of Chief Juvenile Probation Officer in a county within the designated association; and 2) willing and able to serve on the Texas Advisory Council on Juvenile Services if selected by the governing board of the Texas Juvenile Justice Department. Staff recommended the following nominees:

Homer Flores, Chief Juvenile Probation Officer in Nueces County. Mr. Flores holds a degree in Criminal Justice and offers 24 years of juvenile justice experience. Mr. Flores represents large counties in the South Texas Juvenile Chief's Association.

Stephanie Fowler, Chief Juvenile Probation Officer in Dallam-Hartley-Sherman Counties. Ms. Fowler holds a Bachelor's degree in Criminal Justice from West Texas A&M University and offers 17 years of criminal and juvenile justice experience. Ms. Fowler represents small counties in the Panhandle Area Juvenile Probation Officer's Association.

Phillip Hayes, Chief Juvenile Probation Officer in Cass County. Mr. Hayes holds a Bachelor's degree in Business Management from Northwood University and is a Retired Master Sergeant in the United States Air Force. He offers 35 years of criminal and juvenile justice experience. Mr. Hayes represents small counties in the Northeast Texas Juvenile Chief's Association.

Pama Hencerling, Chief Juvenile Probation Officer in Victoria County. Ms. Hencerling holds a Bachelor's degree in Criminology and Corrections from Sam Houston State University and offers 26 years of juvenile justice experience. Ms. Hencerling represents medium counties in the Central Texas Juvenile Chiefs Association.

Mario Ramirez, Juvenile Court Judge in the 332nd District Court, Edinburg, Texas. Mr. Ramirez holds a Bachelor's degree from the University of Notre Dame and a J.D. from St. Mary's University and offers 36 years of juvenile justice experience. Mr. Ramirez represents the role of Juvenile Court Judge.

Larry Thorne, Juvenile Court Judge in the 317th District Court, Beaumont, Texas. Mr. Thorne holds a Bachelor's degree from the University of Texas, a J.D. from the University of Houston Bates College of Law and offers 37 years of juvenile justice experience. Mr. Thorne represents the role of Juvenile Court Judge.

Stephen Randy Turner, Chief Juvenile Probation Officer in Tarrant County. Mr. Turner holds a Bachelor's degree from Howard Payne University, a M.A. in Criminal Justice from Sam Houston State University, and offers 37 years of juvenile justice experience. Mr. Turner represents large counties in the North Central Texas Juvenile Chiefs Association.

Doug Vance, Chief Juvenile Probation Officer in Brazos County. Mr. Vance holds a Bachelor's degree from Pittsburg State University, a Master's degree from East Texas State University, a Texas Teacher Certification from the University of North Texas, and a Ph.D. from Texas A&M University-Commerce. Mr. Vance offers 18 years of juvenile justice experience and represents medium counties in the Southeast Texas Juvenile Chiefs Association.

Mark Williams, Chief Juvenile Probation Officer in Tom Green County. Mr. Williams holds a Bachelor's degree from Texas Tech University, an M.A. in Biblical and Related Studies from Abilene Christian University, and offers 24 years of juvenile justice experience. Mr. Williams represents medium counties in the West Texas Juvenile Chiefs Association.

Matt Shaheen, Collin County Commissioner, Precinct 1. Mr. Shaheen holds a Bachelor's degree from Randolph-Macon College, a Master's degree from Southern Methodist University. Mr. Shaheen represents the role of County Commissioners Court.

Chairman Fisher addressed the Board explaining the options of presenting a motion and a second

before the Board for approval and noted that amendments could still be made after the vote was taken. He requested a motion to appoint the nominees as presented by Ms. Spriggs and Ms. Townsend. Mr. Brown moved to appoint the nominees as presented. Mr. Kyker seconded the motion.

Ms. King moved to amend the motion and replace nominee Pama Hencerling with Estela Medina. Estela Medina is the Chief Juvenile Probation Officer in Travis County. Ms. Medina holds a Bachelor's degree from the University of Texas at El Paso, a Master's degree from Webster University, and offers 35 years of criminal and juvenile justice experience. Ms. Medina represents large counties in the Central Texas Juvenile Chief's Association. Mr. Meade seconded the motion. The motion passed unanimously.

Mr. Meade moved to amend the original motion and replace nominee Stephanie Fowler with William Carter. William Carter is a graduate of Angelo State University and offers 17 years of criminal and juvenile justice experience. Mr. Carter represents counties in the Panhandle Area Juvenile Probation Officer's Association. Mr. Kyker seconded the motion. The motion passed with 11 ayes and 2 nays.

A final vote was taken on the original motion as amended and the motion passed unanimously.

REVIEW AND DISCUSSION OF THE PRELIMINARY DRAFT OF TEXAS JUVENILE JUSTICE DEPARTMENT BOARD GOVERNANCE MANUAL

Chairman Fisher called upon Toysha Martin, former TYC General Counsel, to report on the preliminary draft of the TJJD Governance Manual. Ms. Martin explained to the Board that the draft manual has been provided for review and requested that the Board review it for additions and corrections before consideration for final adoption at a future board meeting.

RECESS AND ANNOUNCEMENT OF CLOSED MEETING

Chairman Fisher called the Board to recess at 11:39 AM to hold a closed executive session meeting.

ANNOUNCEMENT TO RECONVENE OPEN MEETING

Chairman Fisher reconvened the open meeting at 2:06 PM.

The following agenda items were discussed during the closed executive session and reported on by Chairman Fisher when the open meeting reconvened.

DISCUSSION OF THE SELECTION AND HIRING PROCESS OF THE TEXAS JUVENILE JUSTICE DEPARTMENT EXECUTIVE DIRECTOR

DISCUSSION AND APPOINTMENTS TO THE TEXAS JUVENILE JUSTICE DEPARTMENT BOARD EXECUTIVE DIRECTOR SEARCH COMMITTEE

DISCUSSION OF THE JOB POSTING FOR TEXAS JUVENILE JUSTICE DEPARTMENT EXECUTIVE DIRECTOR

DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS DELIBERATED IN CLOSED EXECUTIVE SESSION

Chairman Fisher reported that during the closed executive session, the Board concluded that the position of Executive Director will be posted December 1, 2011 and will remain open until filled. Applications may be submitted to the Texas Juvenile Justice Department's Human Resources Division.

Chairman Fisher reported that during the closed meeting, the Board discussed appointments to the Texas Juvenile Justice Department Board Executive Director Search Committee. The Executive Director Search Committee will meet on Thursday, January 5, 2012 to interview potential candidates. The committee appointees are: Carol Bush, John Brieden, Scott Fisher, Jane Anderson King, Rob Kyker, and Calvin Stephens.

On Friday, January 6, 2012, during the TJJD Board Meeting, the full Board will meet in a closed session to interview the final candidates and deliberate for a selection. Upon reconvening the open meeting, the Board will vote to fill the position of Executive Director for the Texas Juvenile Justice Department.

Chairman Fisher reported that effective December 2, 2011, former TJPC Executive Director Vicki Spriggs and former TYC Executive Director Cheri Townsend will be placed on paid leave, but they should remain available for contact by staff as needed until an appointment of the TJJD Executive Director has been made.

DISCUSSION OF PERSONNAL MATTERS RELATING TO POSSIBLE APPOINTMENT OF INTERIM EXECUTIVE DIRECTOR

A motion was made by Ms. King and seconded by Ms. Mendoza to appoint Robin McKeever, Deputy Executive Director of the former Texas Youth Commission as Interim Executive Director with a monthly salary of \$11,750. The motion passed unanimously.

DISCUSSION OF PERSONNEL MATTERS RELATING TO POSSIBLE APPOINTMENT OF INTERNAL AUDITOR

A motion was made by Ms. King and seconded by Ms. Bush to appoint Karin Hill as Internal Auditor. The motion passed unanimously.

DISCUSSION OF PERSONNEL MATTERS RELATING TO POSSIBLE APPOINTMENT OF CHIEF INSPECTOR GENERAL

A motion was made by Ms. King and seconded by Mr. Meade to appoint Cris Love as Chief Inspector General. The motion passed unanimously.

UPDATE AND STATUS OF CURRENT LITIGATION

No update was provided in the open meeting.

SCHEDULE FUTURE BOARD TRAININGS AND MEETINGS

Chairman Fisher scheduled the following future meetings of the TJJD Board:

Thursday, January 5, 2012	Executive Director Search Committee
Friday, January 6, 2012	Board Meeting
Friday, January 20, 2012	Board Meeting
Friday, February 17, 2012	Board Meeting

ADJOURN

Chairman Fisher announced the Board adjourned at 2:11 PM.